

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
)	
V.)	CR. No: 2:07cr234-TFM
)	
JOIA E. FRANKS)	

MOTION TO CONTINUE TRIAL

COMES NOW the Defendant, **JOIA E. FRANKS**, through Undersigned Counsel, Donnie W. Bethel, pursuant to 18 U.S.C. 3161 §§ (h)(8)(A) and (h)(8)(B), and respectfully moves the Court for an Order continuing this matter from the March 10, 2008, Trial Term. In support of this motion, the Defendant would show the following:

1. Ms. Franks submitted a request for pretrial diversion in this case. The United States Attorney recommended approval of that request and, on February 5, 2008, forwarded it to the United States Probation Office for investigation. That investigation is currently underway, and Ms. Franks has already been interviewed as part of that investigation, but it is unlikely to be completed prior to the scheduled trial date of March 10th.
2. For the foregoing reasons, Special Assistant United States Attorney Reese Hays concurs with Ms. Frank's Motion to Continue.

WHEREFORE, Defendant respectfully requests that this Motion to Continue be granted.

Dated this 3rd day of March, 2008.

Respectfully submitted,

s/ Donnie W. Bethel
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CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kent B. Brunson
Assistant U. S. Attorney
131 Clayton Street
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Reese H. Hays III
Special Assistant U. S. Attorney
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Respectfully submitted,

s/ Donnie W. Bethel
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